

WAGANAKISING ODAWAK STATUTE 2004-07
TRIBAL ELECTIONS and ELECTION BOARD AMENDMENT

The Tribal Elections and Election Board Statute, being Waganakising Odawak Statute 2004-06, is amended by adding the following new Section XIV:

XIV. PENDING NEW CONSTITUTION

Since the extraordinary event of a new Secretarial Election for a Tribal Constitution under the Little Traverse Bay Bands of Odawa Indians and Little River Band of Ottawa Indians Act, Public Law 103-324 §8, 25 U.S.C. § 1300k-6, and the Indian Reorganization Act, 25 U.S.C. § 476 is scheduled to take place on February 1, 2005 in such close proximity to the regularly scheduled Tribal Council election, this statute will take measures to avoid voter disenfranchisement and voter confusion caused by the overlap in the two election schedules.

Unless action to move forward on the Secretarial Election for a Tribal Constitution ceases, the Tribal Council election and all deadlines specified for it in this statute will be temporarily suspended. The suspension shall last until the results of the election on the new constitution are finalized or until the date of March 31, 2005, whichever occurs first. Under these circumstances, the current method of voter registration for Tribal Council elections shall be suspended and all Tribal Citizens who shall reach age of 18 by the day of the election shall be considered registered to vote for the 2005 Tribal Council election. Registration for future elections shall be conducted in accordance with Waganakising Odawak Statute 2004-06.

If the new constitution is adopted then all future elections shall be conducted in accordance with its terms. The Tribal Council members in place at the time of adoption of the new constitution shall remain in place until the election and swearing in of the new Tribal Council, Chair and Vice Chair as required by the new constitution.

In the event LTBB citizens fail to adopt such new constitution, the Election Board shall conduct an election under the interim constitution and this statute. Should the new constitution fail to be adopted by Tribal citizens then the Election Board shall conduct the regularly scheduled 2005 Tribal Council election without allowing for a primary in order to complete the regularly scheduled Tribal Council election by June, 2005.

Effective Date: This Amendment takes effect immediately upon enactment.

CERTIFICATION

As Tribal Chairman and Tribal Secretary, we certify that this Statute was duly enacted by the Tribal Council of the Little Traverse Bay Bands of Odawa Indians at a regular meeting of the Tribal Council held on November 7, 2004, at which a quorum was present, by a vote of 7 in favor, 0 opposed, 0 abstentions, and 0 absent as recorded by this roll call:

	In Favor	Opposed	Abstained	Absent
Frank Ettawageshik	x			
Beatrice Law	x			
Alice Yellowbank	x			
Dexter McNamara	x			
Fred Harrington, Jr.	x			
Rita Shananaquet	x			
Regina Gasco Bentley	x			

Date: _____

Frank Ettawageshik, Tribal Chairman

Dexter McNamara, Tribal Secretary